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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,789	10/22/2003	Harold Miyamura	200311340-1	5624

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EXAMINER

BUI, HUNG S

ART UNIT PAPER NUMBER

2841

DATE MAILED: 12/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/690,789

Applicant(s)

MIYAMURA ET AL.

Examiner

Hung S. Bui

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24, 26-29, 34-42 and 44-58 is/are pending in the application.
- 4a) Of the above claim(s) 36 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 34, 35, 37-42, 44-48 and 58 is/are allowed.
- 6) ☒ Claim(s) 1-9, 12, 13, 16-24, 26-29 and 49-57 is/are rejected.
- 7) ☒ Claim(s) 10, 11, 14 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date 11/28/2006.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. Applicant's amendment submission after final filed on 07/27/2006 has been entered.

Claim Objections

2. Claim 36 is objected to because of the following informalities: a dependency of claim 36 is improper because it depends on a canceled claim 32. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-9, 12-13, 16-17 and 57 are rejected under 35 U.S.C. 102(b) as being anticipated by Smithson [US 6,193,532].

Regarding claims 1-2 and 57, Smithson discloses a computing device module (figures 1-2) for receipt within a computing device chassis, the module comprising:

- an enclosure (17);
- a handle (20) movably coupled to the enclosure to move between an extended position and a retracted position, wherein the handle includes at

least one opening (23) being continuously bounded and configured to permit at least one standard hand digit to extend through the at least one opening when the handles is in the retracted position, and wherein the handle extends along only a single transverse side of the enclosure when in the retracted position (figures 1-2).

Regarding claims 3 and 4, Smithson discloses the at least one opening permitting a standard thumb/medial segment of a standard forefinger to be pinched together through the at least one opening when the handle is in the retracted position (figures 1-2).

Regarding claim 5, Smithson discloses the opening including an arcuate surface configured to engage the at least one digit when the digit extends through the at least one opening.

Regarding claim 6, Smithson discloses the at least one opening being a circular.

Regarding claims 7, 9 and 13, Smithson disclose the chassis including a detent structure assembly (18, 19, figure 2) cooperated with a detent structure assembly being mounted on the handle to retain/withdrawal the module from the chassis.

Regarding claims 8 and 12, Smithson discloses the handle being pivoted between the extended position and the retracted position (figure 2).

Regarding claim 16, Smithson discloses the enclosure having a side/front wall (figure 2), extending in a first plane and wherein at least a majority of the handle extends in a second plane parallel to the first plane.

Regarding claim 17, Smithson discloses the handle having an arm portion and grasping portion providing the at least one opening, wherein the lever arm portion is substantially received within a recess (18) when the handle is in the retracted position.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 28-29 and 53-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smithson in view of Bovell [US 2003/0161118].

Regarding claims 28 and 53, Smithson discloses the instant claimed invention except for the enclosure including at least one air flow opening extending along a first plane and wherein the handle extends substantially within a second plane perpendicular to the first plane.

Bovell further discloses the enclosure including at least one air flow opening extending along a first plane and wherein the handle extends substantially within a second plane perpendicular to the first plane (figure 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the airflow opening design of Bovell in Smithson, in order to allow air flow through.

Regarding claim 29, Smithson discloses the instant claimed invention except for module including a connector portion to connect/retract with a connector portion being mounted on the chassis when the module insert/remove from the chassis by means of the handle.

Bovell discloses a module (2) being electrically contacted with a computer chassis (26) through coupled connectors (figures 1-2) when the module are inserted/removed from the chassis by means of a handle (4, figures 1-2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a coupled connector design of Bovell in Smithson, for the purpose of providing electrically interconnection between the module and the chassis system.

Regarding claim 54, Smithson, as modified, disclose the handle being pivoted between the extended position and the retracted position (figure 2):

Regarding claim 55, Smithson, as modified, disclose the enclosure including a recess (18) on a traverse side of the at least one air flow opening and wherein the recess is configured to receive a portion of the handle when the handle is in the retracted position (figures 1-2).

7. Claims 18-23 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smithson.

Regarding claims 18-19 and 22, Smithson discloses the instant claimed invention except for the specific thickness of the arm portion/ sheet metal/recess.

The specific thickness of the arm portion would have been an obvious design consideration based on the specific thickness of the handle to be used for providing enough strengthening to retract the module from a chassis.

Regarding claims 20 and 21, Smithson discloses the instant claimed invention except for the arm portion being formed from a sheet metal such as a galvanize.

Official notice is taken that it is well known in the art for metal that provides a high strengthening.

The arm portion formed from a sheet metal being formed of galvanize would have been an obvious design consideration based on the favor products from the user, which the manufacture is intended to make and a kind of metal can provide enough strengthening to remove or insert the module from the chassis.

Regarding claim 23, Smithson discloses the instant claimed invention except for the handle being formed of a material that has a yield strength of at least about 16,000psi.

Official notice is taken that it is well known to use a material that has a yield strength of at least about 16,000psi., such as metal. Therefore, the handle being made from metal can provide a strong momentum to retract a module from a chassis.

Regarding claim 26, Smithson discloses the instant claimed invention except for the opening having at least one dimension at least 18mm.

The specific dimension of the opening would have been an obvious design consideration based on the specific dimension of the handle and a standard size of users' fingers.

Regarding claim 27, Smithson discloses the instant claimed invention except for a power supply provided therein the module.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide at least one power supply in the computer device of Smithson, in order to provide electric for the computer device.

8. Claims 24, 49-52 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smithson in view of Reiter et al. [US 5,557,499].

Regarding claims 24, 48 and 56, Smithson discloses the module having the handle including arm portion and a grasping portion forming the opening and wherein the grasping portion extends in a plane perpendicular to the face of the module (figures 1-2).

Smithson disclose the instant claimed invention except for the module including at least one light-emitted display (LED) extending along a face of the module, wherein the handle has an arm portion and a grasping portion forming the opening and wherein the grasping portion extends in a plane perpendicular to the face.

Reiter et al. disclose a module having at least one (8, LED) being mounted on a surface of the module (figure 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the LED with the module of Smithson, as suggested by Reiter et al., for the purpose of indicating the status of the module completely retain with the chassis.

Regarding claims 49-52, the structure of Smithson as taught by Reiter et al. have described above with respect to claims 1 and 24 would necessarily perform the recited method steps during use.

Allowable Subject Matter

9. Claims 34-35, 37-42, 44-48 and 58 are allowed.
10. Claims 10-11 and 14-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
11. The following is a statement of reasons for the indication of allowable subject matter: The cited reference does not teach the handle including a second thread portion coupled to a first portion being mounted to the chassis and an arm portion having a grasping portion structure as claims 34 and 41-42.

Response to Arguments

12. Applicant's arguments with respect to claims 1-24, 26-29, 34-42 and 44-58 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

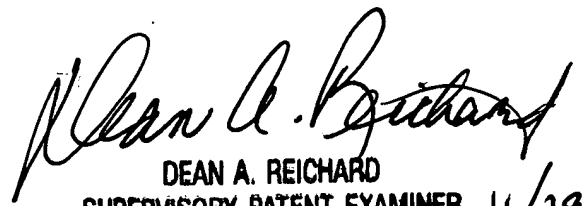
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S. Bui whose telephone number is (571) 272-2102. The examiner can normally be reached on Monday-Friday 8:30AM-6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

11/28/06
Hung Bui
Art Unit 2841


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11/29/06